

09/606,383

MS150960.1

**REMARKS**

Claims 1-75 are currently pending in the subject application and claims 1-48 are presently under consideration.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

**I. Rejection of Claims 16, 18, and 45 Under 35 U.S.C. §112, second paragraph**

Claims 16, 18, and 45 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants' representative respectfully requests that Examiner withdraw the rejection of claims for at least the following reasons.

Claims 16, 18 and 45 have been amended herein to correct minor typographical errors.

**II. Rejection of Claim 1-5, 7, 9-21, 23-25, and 31-48 Under 35 U.S.C. §102 (e)**

Claims 1-5, 7, 9-21, 23-25, and 31-48 stand rejected under 35 U.S.C. §102(e) as being anticipated by Chin *et al.* (U.S. Pat. No. 6,456,306). Applicants representative respectfully requests withdrawal of this rejection for at least the following reasons.

Chin, *et al.* does not teach or disclose the present invention as recited in the subject claims.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The subject application is directed to a user interface to display and manage an entity and associated resources. (p. 1, lines 4 and 5). Independent claim 1 recites limitations of: “a representation of a collection of members as a single entity; and an individual representation of each member associated with the entity; wherein if an action is performed on the representation of the collection of members, then the action is

09/606,383

MS150960.1

propagated to the collection of members, if the action is performed on the representation of the member associated with the entity, then the action is directed to the member.” (Emphasis added). Thus, the present invention facilitates “actions to be performed on representations of the entities as a whole and/or on representations of members associated with the entity individually.” (p.3, lines 22, 23).

To the contrary, Chin *et al.* is directed to “[a] method and apparatus for concurrently displaying from a single window on a network management station the health status of all network devices and objects of a computer network.” (Abstract). Chin *et al.* “uses colored network device icons (e.g., 601-603) and status panes (610-650) to report the current operational state of the devices in the network or within a selected network site.” (Col. 6, lines 49-52). Applicants’ representative respectfully submits that Chin *et al.* does not teach or disclose the limitation of propagation of an action to a collection of members based on an action performed on the representation of the collection of members, as recited in independent claim 1 of the subject application.

In view of at least the above, it is readily apparent that Chin, *et al.* neither anticipates nor suggests the subject invention as recited in independent claims 1 (2-5, 7, 9-21, 23-25, and 31-48 and claims which depend there from). Accordingly, this rejection should be withdrawn.

### III. Rejection of Claims 6 and 8 Under 35 U.S.C. §103(a)

Claims 6 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chin *et al.* (U.S. Pat. No. 6,456,306) in view of Richardson (U.S. Pat. No. 6,271,845). Withdrawal of this rejection is requested for at least the following reasons.

The combination of Chin *et al.* and Richardson does not make obvious the applicants’ invention as recited in the subject claims - the references if combined as suggested by the Examiner would not result in the invention as claimed.

It is essential to consider all elements of the claimed invention; it is impermissible to compare the prior art with what the viewer interprets the “gist” of the invention to be *Vas-Cath Inc. v. Mahurkar*, 935 F.2d 1555, 19 USPQ2d 1111 (Fed. Cir. 1991); *Perkin-Elmer Corp. v. Computervision Corp.*, 732 F.2d 888, 221 USPQ 669 (Fed. Cir. 1984); *Jones v.*

09/606,383

MS150960.1

*Hardy*, 727 F.2d 1524, 1527-28, 220 USPQ 1021m 1024 (Fed. Cir. 1984).

As noted above, applicants' representative respectfully submits that Chin *et al.* does not teach or disclose the limitation of propagation of an action to a collection of members based on an action performed on the representation of the collection of members, as recited in independent claim 1 of the subject application. Richardson does not make up for this deficiency.

In view of at least the above, it is readily apparent that the combination of Chin, *et al.* and Richardson does not teach, suggest and/or make obvious the subject invention as recited in claims 6 and 8. Accordingly, this rejection should be withdrawn.

#### IV. Rejection of Claims 22 and 26 Under 35 U.S.C. §103(a)

Claims 22 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chin *et al.* (U.S. Pat. No. 6,456,306) in view of Manghirmalani *et al.* ("Manghirmalani", U.S. Pat. No. 5,819,028). Applicants respectfully request that Examiner withdraw the rejection for these claims for at least the following reasons.

As noted above, applicants' representative respectfully submits that Chin *et al.* does not teach or disclose the limitation of propagation of an action to a collection of members based on an action performed on the representation of the collection of members, as recited in independent claim 1 of the subject application. Manghirmalani *et al.* does not make up for this deficiency.

In view of at least the above, it is submitted that the combination of Chin, *et al.* and Manghirmalani *et al.* does not teach, suggest and/or make obvious the subject invention as recited in claims 22 and 26. Accordingly, this rejection should be withdrawn.

#### V. Rejection of Claims 27-30 Under 35 U.S.C. §103(a)

Claims 27-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chin *et al.* (U.S. Pat. No. 6,456,306) in view of Bradley *et al.* ("Bradley", U.S. Pat. No. 6,584,507). Applicants respectfully request that Examiner withdraw the rejection for these claims for at least the following reasons.

09/606,383

MS150960.1

The combination of Chin *et al.* and Bradley *et al.* does not make obvious the subject invention as recited in claims 27 – 30. The references if combined as suggested by the Examiner would not result in the invention as claimed.

As noted *supra*, Chin *et al.* does not teach or disclose the limitation of *propagation of an action to a collection of members based on an action performed on the representation of the collection of members*, as recited in independent claim 1 of the subject application. Bradley *et al.* does not make up for this deficiency.

In view of at least the above, the combination of Chin, *et al.* and Bradley *et al.* does not teach, suggest and/or make obvious the subject invention as recited in claims 27 – 30 (which depend from claim 1); and this rejection should be withdrawn

09/606,383

MS150960.1

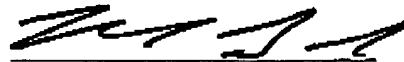
CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 (Ref. No. MSFTP116US).

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,  
AMIN & TUROCY, LLP



Himanshu S. Amin  
Reg. No. 40,894

AMIN & TUROCY, LLP  
24<sup>TH</sup> Floor, National City Center  
1900 E. 9<sup>TH</sup> Street  
Cleveland, Ohio 44114  
Telephone (216) 696-8730  
Facsimile (216) 696-8731